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FORM PTO-1390 (REV02-2005) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTY. DOCKET #: 5367-239PUS

## TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

U.S. APPLICATION NO.
(If, known, see 37 CFR1.5)

INTERNATIONAL APPLICATION NO.

PCT/DE2004/002477

INTERNATIONAL FILING DATE
9 November 2004

PRIORITY DATE CLAIMED

13 November 2003

TITLE OF INVENTION

VCSEL Pumped in a Monolithically Optical Manner and Comprising a Laterally Applied Edge Emitter

APPLICANT(S) FOR DO/EO/US

## Tony ALBRECHT; Peter BRICK; Stephan LUTGEN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- 1. [x] This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
- 2. [] This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371
- 3. [x] This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
- 4. [x] The US has been elected (Article 31).
- 5. [x] A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. [] is attached hereto (required only if not communicated by the International Bureau).
  - b. [x] has been transmitted by the International Bureau.
  - c. [] is not required, as the application was filed in the United States Receiving Office (RO/US)
- 6; [x] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. [x] is attached hereto.
  - b.[] has been previously submitted under 35 U.S.C. 154(d)(4).
- 7. [] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. [] are attached hereto (required only if not communicated by the International Bureau).
  - b.[] have been transmitted by the International Bureau.
  - c. [] have not been made; however, the time limit for making such amendments has NOT expired.
  - d.[] have not been made and will not be made.
- 8. [] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- 9. [] An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- 10.[] A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 20. Below concern other document(s) or information included:

- 11.[x] Two Information Disclosure Statements under 37 CFR 1.97 and 1.98.
- 12.[] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- 13.[x]A preliminary amendment.
- 14.[] An Application Data Sheet under 37 CFR 1.76.
- 15.[] A substitute specification.
- 16.[] A power of attorney and/or address letter.
- 17.[] A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825
- 18.[] A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- 19.[] A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
- 20.[x]Other items or information: (specify): PCT/IB/308 (First Notice and Second and Supplementary Notice), Cover page of published PCT application, Int'l Preliminary Examination Report, Int'l Search Report, Request for Publication of Assignment Information

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) INTERNATIONAL APPLICATION NO.								ATTORNEY'S DOCKET NUMBER		
PCT/DE2004/002477						2477	5	367-239PUS		
The following fees are submitted:										
22. [x] Basic National Fee (37 CFR 1.492(a)(1)-(5)) \$300									300	
[x] Examination Fee										
If International preliminary examination report is prepared by USPTO									200	
and all claims satisfy the provisions of PCT article 33(1)-(4)										
All other situ	ations					-	\$200			
23. [x] Search Fee										
If International preliminary examination report is prepared by USPTO and all claims satisfy the provisions of PCT article 33(1)-(4) \$0										
									400	
Search fee (37 CFR 1.445(a)(2)) has been paid on the International application to the USPTO as an International Searching Authority \$100										
International Search Report prepared and provided to the Office or previously										
provided to the office \$400										
All other situations \$500										
ENTER APPROPRIATE BASIC FEE AMOUNT (total of 21, 22 and 23) =								\$		
[] Application Fee for specification and drawing filed in paper over 100 sheets (excluding								9		
sequence listing or computer program listing filed in electronic medium). The fee is \$250 for										
each additional 50 sheets of paper or fraction thereof.										
Total Sheets	Extra Sh	eets	Number of addi	tional 50 or 1	fraction	n thereof	RATE			
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Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the							\$			
earliest claimed priority date (37 CFR 1.492(h)).										
Claims Number Filed Number Extra RATE										
Total Claims			19 - 20 =	0	0 x \$ 50.0		0	\$		
Independent Claims			1 - 3 =	0		x \$200.00		\$		
Multiple dependent claim(s) (if applicable) + \$360.00							\$			
TOTAL OF ABOVE CALCULATIONS =								\$	900	
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.								\$		
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